IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

LA.App.No. 922 of 2003

LAR.7/1999 of PRINCIPAL SUB COURT,NORTH PARAVUR
.....

APPELLANT/ADDL.2ND RESPONDENT:

KOCHI INTERNATIONAL AIRPORT SOCIETY,
ANGAMALY, REPRESENTED BY ITS MANAGING DIRECTOR

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.

RESPONDENTS/CLAIMANT AND 1ST RESPONDENT:
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1. **P.P.KOCHUNNY, PALLATHUKADAVIL,**
   THURAVUMKARA P.O.

2. **STATE OF KERALA, REPRESENTED BY THE**
   DISTRICT COLLECTOR, ERNAKULAM.

   BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 24/10/2007, ALONG WITH L.A.A. 9/2004, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 922 OF 2003

&

L.A.A. NO. 9 OF 2004

Dated this the 24th day of October, 2007.

J U D G M E N T

Kurian Joseph, J.

These appeals are filed aggrieved by the enhancement of compensation in the matter of acquisition for the Kochi International Airport, Nedumbassery. It has been held by this Court in L.A.A. No. 290/2003 that enhancement has to be limited to 45% over and above the value awarded by the Land Acquisition Officer. Therefore, these appeals are partly allowed. The claimants shall be entitled to have the enhancement only to the tune of 45% over and above the value fixed by the Land Acquisition Officer. In view of the decision of the Supreme Court in ***Sunder vs. Union of India*** **(2001(3) KLT 489)**], the claimants shall be entitled to interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. NO. 922 OF 2003
&
L.A.A. NO. 9 OF 2004

J U D G M E N T

24.10.2007